

# GERMANY'S CASE TRIED IN COURT

BY *Montgomery*  
JAMES M. BECK  
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*Repr. fr. the New York Times*

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## FOREWORD

What a great neutral country like America thinks of the charges made against Germany with regard to the responsibility for the great War, is naturally of much interest to us. The case has been stated at last in the most remarkable and telling way in the columns of one of the leading New York papers—*The New York Times*. This irresistible—we might almost say sensational—presentment of the facts has attracted great attention not only in America but in Great Britain. The plan adopted to set out the evidence clearly and unmistakably is a novel one.

Mr. James M. Beck, who has held the post of Assistant Attorney-General of the United States, is a leader of the New York Bar, and has argued many of the most important cases before the Supreme Court. *The New York Times* asked him to take the evidence as submitted by the various warring nations, to analyse it and prepare a case as he would prepare it to lay before "The Supreme Court of Civilisation," to decide who would be held responsible for the European War.

The famous barrister did so, and the argument of the greatest of the world's cases, that of the Dual



Alliance *v.* the Triple Entente before "The Supreme Court of Civilisation," is presented here, and is the most interesting and compelling contribution to the much-discussed question of Germany's complicity in the outbreak of the European conflict.

With a deadly logic, forensic force and convincing eloquence, which probably has never been equalled, Mr. J. M. Beck has declaimed his case, and the verdict no one can dispute in face of such evidence, backed by such proofs in every instance, as he has produced. Apart from the intrinsic interest of the subject, Mr. Beck's indictment should be read by everyone for the sake of the penetrating analysis, the masterly clearness and the brilliant eloquence displayed in the setting forth of his case.

# GERMANY'S CASE TRIED IN COURT

## I.

### **Was England Justified ?**

**L**ET us suppose that in this year of dis-Grace, Nineteen Hundred and Fourteen, there had existed, as let us pray will one day exist, a Supreme Court of Civilisation, before which the sovereign nations could litigate their differences without resort to the iniquitous and less effective appeal to the arbitrament of arms.

Let us further suppose that each of the contending nations had a sufficient leaven of Christianity to have its grievances adjudged, not by the ethics of the cannon or the rifle, but by the eternal criterion of justice.

What would be the judgment of that august tribunal ?

Any discussion of the ethical merits of this great controversy must start with the assumption that there is such a thing as international morality.

This fundamental axiom, upon which the entire

basis of civilisation necessarily rests, is challenged by a small class of intellectual perverts.

Some of these hold that moral considerations must be subordinated either to military necessity or so-called manifest destiny. This is the Bernhardi doctrine.

Others teach that war is a beneficent fatality and that all nations engaged in it are therefore equally justified. On this theory, all of the now contending nations are but victims of an irresistible current of events, and the highest duty of the State is to prepare itself for the systematic extermination, when necessary, of its neighbours.

Notwithstanding the clever platitudes under which both these doctrines are veiled, all morally sane minds are agreed that this war is a great crime against civilisation, and the only open question is, which of the two contending groups of Powers is morally responsible for that crime ?

**Was Austria justified in declaring war against Servia ?**

**Was Germany justified in declaring war against Russia and France ?**

**Was England justified in declaring war against Germany ?**

**As the last of these questions is the most easily disposed of, it may be considered first.**

#### **England's Justification.**

England's justification rests upon the solemn treaty of 1839, whereby Prussia, France, England, Austria, and Russia "became the guarantors" of the "per-



petual neutrality" of Belgium, as reaffirmed by Count Bismarck, then Chancellor of the German Empire, on July 22nd, 1870, and as even more recently reaffirmed in the striking fact disclosed in the Belgian "Gray Book."

In the Spring of 1913, a debate was in progress in the Budget Committee of the Reichstag with reference to the Military Budget. In the course of the debate the German Secretary of State said :

"The neutrality of Belgium is determined by international conventions, *and Germany is resolved to respect these conventions.*"

To confirm this solemn assurance, the Minister of War added in the same debate :

"Belgium does not play any part in the justification of the German scheme of military reorganisation. The scheme is justified by the position of matters in the East. **Germany will not lose sight of the fact that Belgian neutrality is guaranteed by international treaties.**"

A year later, on July 31st, 1914, Herr von Buelow, the German Minister at Brussels, assured the Belgian Department of State that he knew of a declaration which the German Chancellor had made in 1911, to the effect "that Germany had no intention of violating our neutrality," and "that he was certain that the sentiments to which expression was given at that time *had*

*not changed.*" (See Belgian "Gray Book," Nos. 11 and 12.)

It seems unnecessary to discuss the wanton disregard of these solemn obligations and protestations when the present Chancellor of the German Empire in his speech to the Reichstag and to the world on August 4th, 1914, frankly admitted that the action of the German military machine in invading Belgium was a wrong. He said :

" We are now in a state of necessity, and necessity knows no law. Our troops have occupied Luxemburg and perhaps are already on Belgian soil. *Gentlemen, that is contrary to the dictates of international law.* It is true that the French Government has declared at Brussels that France is willing to respect the neutrality of Belgium, so long as her opponent respects it. We knew, however, that France stood ready for invasion. France could wait, but we could not wait. A French movement upon our flank upon the lower Rhine might have been disastrous. So we were compelled to override the just protest of the Luxemburg and Belgian Governments. *The wrong—I speak openly—that we are committing* we will endeavour to make good as soon as our military goal has been reached. Anybody who is threatened as we are threatened, and is fighting for his

highest possessions, can only have one thought—how he is to hack his way through.”

This defence is not even a plea of confession and avoidance. It is a plea of “Guilty” at the bar of the world. It has one merit, that it does not add to the crime the aggravation of hypocrisy. It virtually rests the case of Germany upon the gospel of Treitschke and Bernhardi, that each nation is justified in exerting its physical power to the utmost in defence of its selfish interests. There is no novelty in this gospel. Its only surprising feature is its revival in the twentieth century. It was taught far more effectively by Machiavelli in his treatise, “The Prince,” wherein he glorified the policy of Cesare Borgia in trampling the weaker States of Italy under foot by ruthless terrorism, unbridled ferocity, and the basest deception. Indeed, the wanton destruction of Belgium is simply Borgiaism amplified ten-thousandfold by the mechanical resources of modern war.

Unless our boasted civilisation is the thinnest veneering of barbarism ; unless the law of the world is in fact only the ethics of the rifle and the conscience of the cannon ; unless mankind after uncounted centuries has made no real advance in political morality beyond that of the cave-dweller, then this answer of Germany cannot satisfy the “decent respect to the opinions of mankind.” Germany’s contention that a treaty of peace is “a scrap of paper,” to be disregarded at will when required by the selfish interests

**of one contracting party, is the negation of all that civilisation stands for.**

Belgium has been crucified in the face of the world. Its innocence in any offence, until it was attacked, is too clear for argument. Its voluntary immolation to preserve its solemn guarantee of neutrality will "plead like angels, trumpet-tongued, against the deep damnation of its taking off." On that issue the Supreme Court could have no ground for doubt or hesitation. Its judgment would be speedy and inexorable.

### **A War of Diplomats.**

The remaining two issues, above referred to, are not so simple. Primarily, and perhaps exclusively, the ethical question turns upon the issues raised by the communications which passed between the various Chancellories of Europe in the last week of July, for it is the amazing feature of this greatest of all wars that it was precipitated by diplomats and, assuming that all the diplomats sincerely desired a peaceful solution of the questions raised by the Austrian ultimatum (which is by no means clear), it was the result of ineffective diplomacy and clumsy diplomacy at that.

I quite appreciate the distinction between the immediate causes of a war and the anterior and more fundamental causes; nevertheless, with the world in a state of Summer peace on July 23rd, 1914, an issue gravely affecting the integrity of nations and the

balance of power in Europe, is suddenly precipitated by the Austrian ultimatum, and thereafter and for the space of about a week a series of diplomatic communications passed between the Chancellories of Europe, designed on their face to prevent a war and yet so ineffective that the war is precipitated and the fearful Rubicon crossed before the world knew, except imperfectly, the nature of the differences between the Governments involved. The ethical aspects of this great conflict must largely depend upon the record that has been made up by the official communications, which can therefore be treated as documentary *evidence* in a litigated case.

A substantial part of that record is already before the court of public opinion in the British and German "White Papers" and the Russian "Orange Paper," and the purpose of this article is to discuss what judgment an impartial and dispassionate court would render upon the issues thus raised and the evidence thus submitted.

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## II.

### **The Suppression by Germany and Austria of Vitally Important Documents.**

Primarily such a court would be deeply impressed not only by what the record as thus made up discloses *but also by the significant omissions of documents known to be in existence.*

The official defence of England and Russia does not apparently show any failure on the part of either to submit all of the documents in their possession, *but the German "White Paper" on its face discloses the suppression of documents of vital importance, while Austria has as yet failed to submit any of the documentary evidence in its possession.*

We know from the German "White Paper"—even if we did not conclude as a matter of irresistible inference—that many important communications passed in this crisis between Germany and Austria, and it is probable that some communications must also have passed between those two countries and Italy. Italy, despite its embarrassing position, owes to the world the duty of a full disclosure. What such disclosure would probably show is indicated by her deliberate

conclusion that her allies had commenced an *aggressive* war, which released her from any obligation under the triple Alliance.

The fact that communications passed between Berlin and Vienna, the text of which has never been disclosed, is not a matter of conjecture. Germany admits and asserts as part of her defence that she faithfully exercised her mediatory influence with Austria, but not only is such mediatory influence not disclosed by any practical results of such mediation, **but the text of these vital communications is still kept in the secret archives of Berlin and Vienna.**

Thus, in the official apology for Germany, it is stated that in spite of the refusal of Austria to accept the proposition of Sir Edward Grey to treat the Servian reply "as a basis for further conversations,"

"we [Germany] continued our mediatory efforts to the *utmost* and advised Vienna to make any possible compromise consistent with the dignity of the Monarchy."—[German "White Paper."]

This would be more convincing if the German Foreign Office in giving other diplomatic documents had only added the *text* of the advice which it thus gave Vienna.

The same significant omission will be found when the same official defence states that on July 29th the German Government advised Austria "to begin the conversations with Mr. Sazonoff." But here again the



*text* is not found among the documents which the German Foreign Office has given to the world. The communications which passed between that office and its Ambassadors in St. Petersburg, Paris, and London, are given *in extenso*, but among the twenty-seven communications appended to the German official defence **it is most significant that not a single communication is given of the many which passed from Berlin to Vienna and only one that passed from Vienna to Berlin.** This cannot be an accident. Germany has seen fit to throw the veil of secrecy over the text of its communications to Vienna, although professing to give the purport of a few of them.

Until Germany is willing to put the most important documents in its possession in evidence, it must not be surprised that the world, remembering Bismarck's garbling of the Ems dispatch, which precipitated the Franco-Prussian war, will be incredulous as to the sincerity of Germany's mediatory efforts.

### **Austria's Case Against Serbia.**

To discuss the justice of Austria's grievances against Serbia would take us outside the documentary record and into the realm of disputed facts and would expand this discussion far beyond reasonable length.

Let us therefore suppose *arguendo* that our imaginary court would commence its consideration with the assumption that Austria had a just grievance against

Servia, and that the murder of the Archduke on June 29th, 1914, while in fact committed by Austrian citizens of Servian sympathies on Austrian soil, had its inspiration and encouragement in the political activities either of the Servian Government or of political organisations of that country.

The question for decision would then be not whether Austria had a just grievance against Servia, but whether, having regard to the obligations which Austria, as well as every other country, owes to civilisation, she proceeded in the right manner to redress her grievance.

#### **The Secrecy of the Plan of the Double Alliance.**

On June 28th, 1914, the Austrian Crown Prince was murdered at Serajevo. For nearly a month there was no action by Austria, and no public statement whatever of its intentions. The world profoundly sympathised with Austria in its new trouble, and especially with its aged monarch, who, like King Lear, was "as full of grief as years and wretched in both."

The Servian Government had formally disclaimed any complicity with the assassination, and had pledged itself to punish any Servian citizen implicated therein.

From time to time, from June 28th to July 23rd, there came semi-inspired intimations from Vienna that that country intended to act with great self-restraint and in the most pacific manner. Never was it even hinted

that Germany and Austria were about to apply in a time of profound peace a match to the powder magazine of Europe.

This is strikingly shown by the first letter in the English "White Paper" from Sir Edward Grey to Sir H. Rumbold, dated July 20th, 1914. It is one of the most significant documents in the entire correspondence. At the time this letter was written it is altogether probable that Austria's arrogant and most unreasonable ultimatum had already been framed and approved in Vienna, and possibly in Berlin, and yet Sir Edward Grey, the Foreign Minister of a great and friendly country, had so little knowledge of Austria's policy that he

"asked the German Ambassador to-day (July 20th) if he had any news of what was going on in Vienna with regard to Servia."

The German Ambassador replied

"that he had not, but Austria was certainly going to take some step."

Sir Edward Grey adds that he told the German Ambassador that he had learned that Count Berchtold, the Austrian Foreign Minister,

"in speaking to the Italian Ambassador in Vienna, had deprecated the suggestion that the situation was grave, but had said that it should be cleared up."

The German Minister then replied that it would be desirable "if Russia could act as a mediator with regard to Servia," so that the first suggestion of Russia playing the part of the peacemaker came from the German Ambassador in London. Sir Edward Grey then adds that he told the German Ambassador that he

"assumed that the Austrian Government would not do anything until they had first disclosed to the public their case against Servia, founded presumably upon what they had discovered at the trial,"

and the German Ambassador assented to this assumption.—[English "White Paper," No. 1.]

Either the German Ambassador was then deceiving Sir Edward Grey, on the theory that the true function of an Ambassador is "to lie for his country," or the thunderbolt was being launched with such secrecy that even the German Ambassador in England did not know what was then in progress.

The British Ambassador at Vienna reports to Sir Edward Grey :

"The delivery at Belgrade on July 23rd of the note to Servia was preceded by a period of *absolute silence* at the Ballplatz."

He proceeds to say that with the exception of the German Ambassador at Vienna—note the significance

of the exception—not a single member of the Diplomatic Corps knew anything of the Austrian ultimatum and that the French Ambassador, when he visited the Austrian Foreign Office on July 23rd, was not only kept in ignorance that the ultimatum had actually been issued, but was given the impression that its tone was moderate. Even the Italian Ambassador was not taken into Count Berchtold's confidence.—[Dispatch from Sir M. de Bunsen to Sir Edward Grey, dated September 1st, 1914.]

### III.

#### Did Germany know of or Inspire the Ultimatum ?

The interesting and important question here suggests itself whether Germany had knowledge of and approved in advance the Austrian ultimatum. If it did, it was guilty of duplicity, for the German Ambassador at St. Petersburg gave to the Russian Minister of Foreign Affairs an express assurance that

*“the German Government had no knowledge of the text of the Austrian note before it was handed in and had not exercised any influence on its contents. It is a mistake to attribute to Germany a threatening attitude.”*—[Russian “Orange Paper,” No. 18.]

This statement is inherently improbable. Austria was the weaker of the two allies, and it was Germany's sabre that it was rattling in the face of Europe. Obviously Austria could not have proceeded to extreme measures, which it was recognised from the first would antagonise Russia, unless she had the support of Germany, and there is a probability, amounting to a moral certainty, that she would not have committed

herself and Germany to the possibility of a European war without first consulting Germany.

Moreover, we have the testimony of Sir M. de Bunsen, the English Ambassador in Vienna, who advised Sir Edward Grey that he had "private information that the German Ambassador (at Vienna) knew the text of the Austrian ultimatum to Serbia before it was dispatched and telegraphed it to the German Emperor," and that the German Ambassador himself "endorses every line of it." [English "White Paper," No. 95.] As he does not disclose the source of his "private information," this testimony would not by itself be convincing, but when we examine Germany's official defence in the German "White Paper," we find that the German Foreign Office admits that it was consulted by Austria previous to the ultimatum, and not only approved of Austria's course but literally gave her a *carte blanche* to proceed.

This point seems so important in determining the sincerity of Germany's attitude and pacific protestations that we quote *in extenso*. After referring to the previous friction between Austria and Serbia, the German "White Paper" says :

"In view of these circumstances Austria had to admit that it would not be consistent either with the dignity or self-preservation of the Monarchy to look on longer at the operations on the other side of the border without taking action. *The*



*Austro-Hungarian Government advised us of this view of the situation and asked our opinion in the matter. We were able to assure our ally most heartily of our agreement with her view of the situation and to assure her that any action that she might consider it necessary to undertake in order to put an end to the movement in Serbia directed against the existence of the Austro-Hungarian Monarchy would receive our approval. We were fully aware in this connection that warlike moves on the part of Austria-Hungary against Serbia would bring Russia into the question and might draw us into a war in accordance with our duties as an ally."*

Sir M. de Bunsen's credible testimony is further confirmed by the fact that the British Ambassador at Berlin, in his letter of July 22nd to Sir Edward Grey, states that *on the preceding night* (July 21st) he had met the German Secretary of State for Foreign Affairs, and an allusion was made to a possible action by Austria.

"His Excellency was evidently of opinion that this step on Austria's part would have been made ere this. He insisted that the question at issue was one for settlement between Serbia and Austria alone, and that there should be no interference from outside in the discussions between those two countries."

He adds that while he had regarded it as inadvisable

that his country should approach Austria-Hungary in the matter, he had

“on several occasions in conversation with the Servian Minister emphasised the extreme importance that Austro-Servian relations should be put on a proper footing.”—[English “White Paper,” No. 2.]

### **The Brutal Ultimatum.**

Here we have the first statement of Germany's position in the matter, a position which subsequent events showed to be entirely untenable, but to which Germany tenaciously adhered to the very end, and which did much to precipitate the war. Forgetful of the solidarity of European civilisation, and the fact that by policy and diplomatic intercourse continuing through many centuries a United European State exists, even though its organisation be as yet inchoate, he took the ground that Austria should be permitted to proceed to aggressive measures against Serbia without interference from any other Power, even though, as was inevitable, the humiliation of Serbia would destroy the status of the Balkan States and even threaten the European balance of power.

No space need be taken in convincing any reasonable man that this Austrian ultimatum to Serbia was brutal in its tone and unreasonable in its demands. It would be difficult to find in history a more offensive

document, and its iniquity was enhanced by the short shriving time which it gave either Serbia or Europe. Serbia had forty-eight hours to answer whether it would compromise its sovereignty, and virtually admit its complicity in a crime which it had steadily disavowed. As the full text of the ultimatum first reached the Foreign Chancellories nearly twenty-four hours after its service upon Serbia, the other European nations had barely a day to consider what could be done to preserve the peace of Europe before that peace was fatally compromised.—[English “White Paper,” No. 5; Russian “Orange Paper,” No. 3.]

Further confirmation that the German Foreign Office did have advance knowledge of at least the substance of the ultimatum is shown by the fact that on the day the ultimatum was issued the Chancellor of the German Empire instructed the German Ambassadors in Paris, London, and St. Petersburg to advise the English, French, and Russian Governments that

“the acts as well as the demands of the Austro-Hungarian Government cannot but be looked upon as justified.”—[German “White Paper,” Annex 1 B.]

How could Germany thus endorse the “demands” if it did not know the substance of the ultimatum?

The hour when these instructions were sent is not given, so that it does not follow that these significant

instructions were necessarily prior to the service of the ultimatum at Belgrade at 6 p.m. Nevertheless, as the ultimatum did not reach the other capitals of Europe until the following day, as the diplomatic correspondence clearly shows, it seems improbable that the German Foreign Office would have issued this very carefully prepared and formal warning to the other Powers on July 23rd unless it had not only knowledge of Austria's intention to serve the ultimatum but also at least of the substance thereof.

While it may be that Germany, while endorsing in blank the policy of Austria, purposely refrained from examining the text of the communication, so that it could thereafter claim that it was not responsible for Austria's action—a policy which would not lessen the discreditable character of the whole business—yet the more reasonable assumption is that the simultaneous issuance of Austria's ultimatum at Belgrade and Germany's warning to the Powers were the result of a concerted action and had a common purpose. No court or jury, reasoning along the ordinary inferences of human life, would question this conclusion for a moment.

The communication from the German Foreign Office last referred to anticipates that Servia "will refuse to comply with these demands"—why, if they were justified?—and Germany suggests to France, England, and Russia that if, as a result of such non-compliance, Austria has "recourse to military

measures," that "the choice of means must be left to it."

The German Ambassadors in the three capitals were instructed

"to lay particular stress on the view that the above question is one the settlement of which devolves solely upon Austria-Hungary and Servia, and one which the Powers should earnestly strive to confine to the two countries concerned,"

and he added that Germany strongly desired

"that the dispute be localised, since any intervention of another Power, on account of the various alliance obligations, would bring consequences impossible to measure."

This is one of the most significant documents in the whole correspondence. If Germany were as ignorant as her Ambassador at London affected to be of the Austrian policy and ultimatum, and if Germany was not then instigating and supporting Austria in its perilous course, why should the German Chancellor have served the threatening notice upon England, France, and Russia, that Austria must be left free to make war upon Servia, and that any attempt to intervene in behalf of the weaker nation would "bring consequences impossible to measure"?—[German "White Paper," Annex 1 B.]

A few days later the Imperial Chancellor sent to

the Confederated Governments of Germany a *confidential communication* in which he recognised the possibility that Russia might feel it a duty "to take the part of Servia in her dispute with Austria-Hungary." Why, again, if Austria's case was so clearly justified? The Imperial Chancellor added that

"if Russia feels constrained to take sides with Servia in this conflict, she certainly has a right to do it,"

but added that if Russia did this it would in effect challenge the integrity of the Austro-Hungarian Monarchy, and that Russia would therefore alone

"bear the responsibility if a European war arises from the Austro-Servian question, *which all the rest of the great European Powers wish to localise.*"

In this significant confidential communication the German Chancellor declares the strong interest which Germany had in the punishment of Servia by Austria. He says "*our closest interests therefore summon us to the side of Austria-Hungary,*" and he adds that

"if contrary to hope, the trouble should spread, owing to the intervention of Russia, then, true to our duty as an ally, we should have to support the neighbouring monarchy with the entire might of the German Empire."—[German "White Paper," Annex 2.]

**A Missing Date.**

It is a rather curious and significant fact that while every other document in the German "White Papers" has a date, this very important document, in which the German Chancellor asks the Confederated Governments of Germany to gird on their swords in preparation for a European war, bears no date. As the documents are arranged chronologically and as this document is placed between the communication above referred to of July 23rd and a telegram from Vienna of July 24th, the inference would be that it was sent between those dates. If so, it staggers ordinary credulity to believe that this portentous warning to the constituents of the German Empire to prepare for "the day" should not have been written with full knowledge of the Austrian ultimatum, which had only been issued on July 23rd, and only reached the other capitals of Europe on July 24th. Nevertheless, the document itself would indicate that it was written after Servia's reply on the 25th; but as Germany expected on its own admission a negative reply from Servia, it is still possible, although not probable, that this confidential warning was written either on the 23rd or the 24th. The probability is that this undated document was written shortly after July 25th, and it certainly discloses no expectation of and possibly no desire for a peaceful solution of the problem. Why should the date of this important document have been omitted?



#### IV.

##### **The Efforts to Maintain Peace.**

In reaching its conclusion our imaginary court would pay little attention to mere professions of a desire for peace. A nation, like an individual, can covertly stab the peace of another while saying, "Art thou in health, my brother?" and even the peace of civilisation can be betrayed by a Judas kiss. Professions of peace belong to the cant of diplomacy and have always characterised the most bellicose of nations.

No war in modern times has been begun without the aggressor pretending that his nation wished nothing but peace, and invoking Divine aid for its murderous policy. To paraphrase the words of Lady Teazle on a noted occasion when Sir Joseph Surface talked much of "honour," it might be as well in such instances to leave the name of God out of the question.

Let us, then, analyse the record as already made up; and for the sake of clearness the events which preceded the war will be considered chronologically.

Immediately upon the receipt of the ultimatum in St. Petersburg on July 24th, the Russian Minister of

Foreign Affairs, in a formal communication to Austria-Hungary, suggested that the abrupt time limit "leaves to the Powers a delay entirely insufficient to undertake any useful steps whatever for the straightening out of the complications that have arisen," and added :

"To prevent the incalculable consequences, equally disastrous for all the Powers, which can follow the method of action of the Austro-Hungarian Government, it seems indispensable to us that above all the delay given to Servia to reply should be extended."

Sazonoff further suggested that time should be given for the Powers to examine the results of the inquiry that the Austro-Hungarian Government had made in the matter of the Serajevo assassination, and stated that if the Powers were convinced

"of the well-groundedness of certain of the Austrian demands they would find themselves in a position to send to the Servian Government consequential advice."

He justly observes that

"a refusal to extend the terms of the ultimatum . . . would be in contradiction with the very bases of international relations."—[Russian "Orange Paper," No. 4.]

Could any court question the justice of this contention? The peace of the world was at stake. Time only was asked to see what could be done to preserve that peace and satisfy Austria's grievances to the uttermost farthing.

Concurrently with Sazonoff's plea for a little time to preserve the peace of the world, Sir Edward Grey had seen the German Ambassador on July 24th, and had suggested to him that the only method of preventing the catastrophe was

“that the four Powers, Germany, France, Italy, and ourselves (England), should work together simultaneously at Vienna and St. Petersburg.”—  
[English “White Paper,” No. 11.]

Germany had only to intimate to Austria that “a decent respect to the opinions of mankind,” as well as common courtesy to great and friendly nations, required that sufficient time be given not only to Servia, but to the other nations, to concert for the common good, especially as the period was one of summer dullness and many of the leading rulers and statesmen were absent from their respective capitals.

Under these circumstances was it not natural that Russia should announce on July 24th

“that any action taken by Austria to humiliate Servia would not leave Russia indifferent,”  
and that on the same day the Russian Chargé d’Affaires

at Vienna suggested to the Austrian Foreign Office

“that the Austrian note was drawn up in a form rendering it impossible of acceptance as it stood, and that it was both unusual and peremptory in its terms.”

To which the only reply of the Austrian Foreign Minister was that their representative in Servia

“was under instructions to leave Belgrade unless Austrian demands were accepted in their integrity by 4 p.m. to-morrow.”—[English “White Paper,” No. 7.]

Austria's only concession then, or subsequently, to the cause of peace, was the assurance that Austria would not *after its conquest* of Servia demand any territory.

The action of Germany on this day, July 24th, is most significant. Its Ambassador in England communicated a note to Sir Edward Grey, in which it justified Austro-Hungarian grievances and ultimatum by saying that

“under these circumstances the course of procedure and demands of the Austro-Hungarian Government can only be regarded as equitable and moderate.”

The note added :

“The Imperial Government [Germany] want

to emphasise their opinion that in the present case there is only question of a matter to be settled exclusively between Austria-Hungary and Servia, and that the great Powers ought seriously to endeavour to reserve it to those two immediately concerned."—[English " White Paper," No. 9.]

On July 25th, probably to the great surprise of both Germany and Austria, which had definitely calculated upon Servia's non-compliance with the ultimatum, the latter country, under the conciliatory advice of Russia, made a reply in which, at the sacrifice of its self-respect as a sovereign State, it substantially accepted all but one of the demands of Austria, and as to that it did not, in terms, refuse it, but expressed its willingness to refer it either to arbitration or to a conference of the Powers. —[English " White Paper," No. 39.]

No court would question for a moment the conclusion that the reply was a substantial acquiescence in the extreme Austrian demands, nor indeed did either Germany or Austria seriously contend that it was not. They contented themselves with impeaching the sincerity of the assurances, calling the concessions " shams," and of this it is enough to say that if Germany and Austria had accepted Servia's reply as sufficient, and Servia had subsequently failed to fulfil its promises thus made in the utmost good faith, there would have been little sympathy for Servia,

and no general war. Indeed, both Russia and England pledged their influence to compel Servia, if necessary, to meet fully any reasonable demand of Austria. The outstanding question which Servia agreed to arbitrate or leave to the Powers, was the participation of Austrian officials in the Servian courts. This did not present a difficult problem. Austria's professed desire for an impartial investigation could have been easily attained by having the neutral Powers appoint a commission of jurists to make such investigation.

On July 24th Sir Edward Grey also had asked the German Ambassador to use his good influences at Vienna to secure an extension of time. To this most reasonable request the answer and action of the German Government was disingenuous in the extreme. They agreed to "pass on" the suggestion, but the German Secretary of State for Foreign Affairs added that as the Austrian Prime Minister was away from Vienna there would be delay and difficulty in getting the time limit extended, and

**"he admitted quite freely that the Austro-Hungarian Government wished to give the Servians a lesson, and that they meant to take military action. He also admitted that the Servian Government could not swallow certain of the Austro-Hungarian demands."**

He added that Germany did not want a general war and "he would do all in his power to prevent such a

calamity.”—[English “White Paper,” Nos. 11 and 18.]

If Germany made any communication to Austria in the interests of peace the text has yet to be disclosed to the world. A word from Berlin to Vienna would have given the additional time which, with sincerely pacific intentions, might have resulted in the preservation of peace. Germany, so far as the record discloses, never spoke that word.

Contrast this attitude with that of Russia, whose Foreign Minister on the morning of July 25th offered

“to stand aside and leave the question in the hands of England, France, Germany, and Italy.”

—[English “White Paper,” No. 17.]

On July 25th Sir Edward Grey proposed that the four Powers (including Germany) should unite

“in asking the Austrian and Russian Governments not to cross the frontier and to give time for the four Powers, acting at Vienna and St. Petersburg, to try and arrange matters. If Germany will adopt this view I feel strongly that France and ourselves should act upon it. Italy would no doubt gladly co-operate.”—[English “White Paper,” Nos. 24 and 25.]

To this reasonable request the German Imperial Chancellor replied :



“First and last, we take the ground that this question must be localised *by the abstention of all the Powers from intervention in it,*”

but added that Germany would, if an Austro-Russian dispute arose,

“co-operate with the other great Powers in mediation between Russia and Austria.”—[German “White Paper,” Annex 13.]

This distinction is very hard to grasp. It attempts to measure the difference between tweedledum and tweedledee. Russia's difference with Austria was over the attempt of the latter to crush Servia. Germany would not interfere in the latter, but would mediate between Russia and Austria. For all practical purposes the two things were indistinguishable.

How she “co-operated” we shall presently see.

All that Germany *did* on July 25th, so far as the record discloses, was to “pass on” England's and Russia's requests for more time, but subsequent events indicate that it was “passed on” without any endorsement, for is it credible that Austria would have ignored its ally's request for more time if it had ever been made?

The Austrian Foreign Minister, having launched the ultimatum, absented himself from the capital, but the Russian Minister at Vienna succeeded in submitting this most reasonable request verbally to the Acting

Foreign Minister, who simply said that he would submit it to Count Berchtold, *but that he could predict with assurance a categorical refusal*. Later on that day (July 25th) Russia was definitely advised that no time extension would be granted.—[Russian "Orange Paper," Nos. 11 and 12.]

### Negotiations Defeated.

Was ever the peace of the world shattered upon so slight a pretext? A little time, a few days, even a few hours, might have sufficed to preserve the world from present horrors, but no time could be granted. **A colossal snap judgment was to be taken by these diplomatic pettifoggers.** It would be difficult to find in recorded history a greater discourtesy to a friendly Power, for Austria was not at war with Russia.

Defeated in their effort to get an extension of time, England, France and Russia made further attempts to preserve peace by temporarily arresting military proceedings until efforts towards conciliation could be made. Sir Edward Grey proposed to Germany, France, Russia and Italy that they should unite in asking Austria and Servia not to cross the frontier "until we had had time to try and arrange matters between them," but the German Ambassador read Sir Edward Grey a telegram that he had received from the German Foreign Office that "once she (Austria) had launched that note (the ultimatum) Austria could

not draw back.”—[English “White Paper,” No. 25.]

As we have seen, Germany never, so far as the record discloses, sought in any way to influence Austria to make this or any concession. Its attitude was shown by the declaration of its Ambassador at Paris to the French Minister of Foreign Affairs, which, while disclaiming that Germany had countenanced the Austrian ultimatum, yet added that Germany approved its point of view,

“and that certainly the arrow, once sent, Germany could not allow herself to be guided except by her duty to her ally.”

This seemed to be the fatal fallacy of Germany, that her duties to civilisation were so slight that she should support her ally, Austria, whether the latter was right or wrong. Such was her policy, and she carried it out with fatal consistency. To support her ally in actual war may be defensible, but to support her in times of peace in an iniquitous demand and a policy of gross discourtesy offends every sense of international morality.

On the following day Russia proposed to Austria that they should enter into an exchange of private views, with the object of an alteration in common of some clauses of the Austrian note of July 23rd. *To this Austria never even replied.* The Russian Minister

communicated this suggestion to the German Minister of Foreign Affairs and expressed the hope that he would "find it possible to advise Vienna to meet our proposal," but this did not accord with German policy, for on that day the German Ambassador in Paris called upon the French Minister of Foreign Affairs, and in reply to a similar suggestion that Germany should suggest to Vienna to meet Serbia in the same conciliatory spirit which Serbia had shown, the Ambassador answered that that "was not possible in view of the resolution taken not to interfere in the Austro-Servian conflict."

On the same day England asked France, Italy and Germany to meet in London for an immediate conference to preserve the peace of Europe, and to this fruitful suggestion, which might have saved the peace of Europe, the German Chancellor replied with the pitiful quibble that "it is impossible to bring our ally before a European court in its difference with Serbia," although it affected to accept "in principle" the policy of mediation.

Germany's acceptance "in principle" of a policy which she in practice thwarted suggests the law-abiding tendencies of that Maine statesman who was "for the Maine prohibition liquor law, but against its enforcement."—[English "White Paper," No. 46.]

Germany's refusal to have Serbia's case submitted to the Powers even for their consideration is the more

striking when it is recalled that the German Ambassador at London quoted to Sir Edward Grey the German Secretary of State as saying :

“that there were some things in the Austrian note that Serbia could hardly be expected to accept,”

thus recognising that Austria's ultimatum was, at least in part, unjust. Sir Edward Grey then called the German Ambassador's attention to the fact that if Austria refused the conciliatory reply of Serbia and marched into that country

“it meant that she was determined to crush Serbia at all costs, being reckless of the consequences that might be involved.”

He added that the Servian reply

“should at least be treated as a basis for discussion and pause,”

and asked that the German Government should urge this at Vienna, but the German Secretary of State on July 27th replied that such a conference “was not practicable,” and that it “would practically amount to a court of arbitration,” and could not, in his opinion, be called together “except at the request of Austria and Russia.”—[English “White Paper,” Nos. 43 and 46.]

That this was a mere evasion is perfectly plain.

Germany already knew that Austria would not ask for such a Conference, for Austria had already refused Russia's request for an extension of time and had actually commenced its military operations. Germany's attitude is best indicated by the letter of the Russian Minister in Germany to the Russian Foreign Office in which he states that on July 27th he called at the German Foreign Office and asked it

“to urge upon Vienna in a more pressing fashion to take up this line of conciliation. Jagow replied that he could not advise Austria to yield.”  
—[Russian “Orange Paper,” No. 38.]

Why not? Russia had advised Serbia to yield, and Serbia had conceded nearly every claim. Why could not the German Foreign Office advise Vienna to meet conciliation by conciliation, if its desire for peace were sincere?

Before this interview took place, the French Ambassador had called at the German Foreign Office on a similar errand, and urged the English suggestion that action should at once be taken by England, Germany, Russia and France at St. Petersburg and Vienna, to the effect that Austria and Serbia

“should abstain from any act which might aggravate the situation at the present hour.”

By this was meant that there should be, pending

further parleys, no invasion of Servia by Austria, and none of Austria by Russia. *To this the German Foreign Minister opposed a categorical refusal.*

On the same day the Russian Ambassador at Vienna had "a long and earnest conversation" with the Austrian Under Secretary of State for Foreign Affairs. He expressed the earnest hope that

"something would be done before Servia was actually invaded. Baron Macchio replied that this would now be difficult, as a skirmish had already taken place on the Danube, in which the Servians had been aggressors."

The Russian Ambassador then said that his country would do all it could to keep the Servians quiet,

"and even to fall back before an Austrian advance in order to gain time."

He urged that the Austrian Ambassador at St. Petersburg should be furnished with full powers to continue discussions with the Russian Minister for Foreign Affairs,

"who was very willing to advise Servia to yield all that could be fairly asked of her as an independent power."

The only reply to this reasonable suggestion was that it would be submitted to the Minister for Foreign Affairs.—[English "White Paper," No. 56.]



On the same day the German Ambassador at Paris called upon the French Foreign Office and strongly insisted on the "*exclusion of all possibility of mediation or of conference,*" and yet contemporaneously the Imperial German Chancellor was advising London that he had

"started the efforts towards mediation in Vienna, immediately in the way desired by Sir Edward Grey, and had further communicated to the Austrian Foreign Minister the wish of the Russian Foreign Minister for a direct talk in Vienna."

What hypocrisy! In the formal German defence, the official apologist for that country, after stating his conviction

"that an act of mediation could not take into consideration the Austro-Servian conflict which was purely an Austro-Hungarian affair,"

claimed that Germany had transmitted Sir Edward Grey's further suggestion to Vienna, in which Austria-Hungary was urged

"either to agree to accept the Servian answer as sufficient or to look upon it as a basis for further conversations";

but the Austro-Hungarian Government—playing the rôle of the wicked partner of the combination—"in

full appreciation of our mediatory activity " (so says the German " White Paper " with sardonic humour), replied to this proposition that, coming as it did, after the opening of hostilities, "*it was too late.*"

### **If Germany Had Asked.**

Does any reasonable man question for a moment that, if Germany had done something more than merely " transmit " these wise and pacific suggestions, Austria would have complied with the suggestions of its powerful ally or that Austria would have suspended its military operations if Germany had given any intimation of such a wish? On the following day, July 28th, the door was further closed on any possibility of compromise when the Austrian Minister for Foreign Affairs

" said quietly, but firmly, *that no discussion could be accepted on the basis of the Servian note ; that war would be declared to-day, and that the well-known pacific character of the Emperor, as well as, he might add, his own, might be accepted as a guarantee that the war was both just and inevitable ; that this was a matter that must be settled directly between the two parties immediately concerned.*"

To this arrogant and unreasonable contention that Europe must accept the guarantee of the Austrian

Foreign Minister as to the righteousness of Austria's quarrel, the British Ambassador suggested "the larger aspect of the question," namely, the peace of Europe, and to this "larger aspect," which should have given any reasonable official some ground for pause, the Austrian Foreign Minister replied that he

"had it also in mind, but thought that Russia ought not to oppose operations like those impending, which did not aim at territorial aggrandizement, and which could no longer be postponed"—[English "White Paper," No. 62.]

The private conversations between Russia and Austria having thus failed, Russia returned to the proposition of a European conference to preserve its peace. Its Ambassador in Vienna on July 28th had a conference with Berchtold and pointed to the dangers to the peace of Europe and the desirability of good relations between Austria-Hungary and Russia.

To this Count Berchtold replied that he understood perfectly well the seriousness of the situation and the advantages of a frank explanation with the Cabinet at St. Petersburg.

"He told me that, on the other hand, the Austro-Hungarian Government, which had only reluctantly decided upon the energetic measures which it had taken against Serbia, *could now neither withdraw nor enter upon any discussion of*

*the terms of the Austro-Hungarian note.*"—[Russian "Orange Paper," No. 45.]

On the same day, July 28th, the German Imperial Chancellor sent for the English Ambassador and excused his failure to accept the proposal of conference of the neutral Powers, on the ground that he did not think it would be effective,

"because such a conference would, in his opinion, have the appearance of an 'Areopagus,' consisting of two Powers of each group sitting in judgment upon the two remaining Powers."

After engaging in this pitiful and insincere quibble, and when reminded of Servia's conciliatory reply, amounting to a virtual surrender,

"his Excellency said he did not wish to discuss the Servian note, but that Austria's standpoint, and in this he agreed, was that her quarrel with Servia was a purely Austrian concern, *with which Russia had nothing to do.*"—[English "White Paper," No. 71.]

## V.

### The Mobilisation of the Nations.

At this point the rulers of the countries intervened in the dispute. The Kaiser, having returned from Norway, telegraphed the Czar, under date of July 28th, that he was

“exerting all my influence to endeavour to make Austria-Hungary come to an open and satisfying understanding with Russia,”

and invoked the Czar's aid.—[German “White Paper,” Annex 20.]

If the Kaiser were sincere, and he may have been, *his attitude was not that of his Foreign Office*. Upon the face of the record we have only his own assurance that he was doing everything to preserve peace, but the steps that he took or the communications he made to influence Austria are not found in the formal defence which the German Government has given to the world. The Kaiser can only convince the world of his innocence of the crime of his Potsdam camarilla by giving the world *the text* of any advice he gave the Austrian officials. He has produced his telegrams to the Czar.

*Where are those he presumably sent to Francis Joseph or Count Berchtold? Where are the instructions he gave his Ambassadors or Foreign Ministers?*

It is significant that on the same day Sazonoff telegraphed to Count Benckendorff:

“My conversations with the German Ambassador confirm my impression that Germany is rather favourable to the uncompromising attitude adopted by Austria.”

And he adds, and history will vindicate him in the conclusion, that

“The Berlin Cabinet, which might have been able to arrest the whole development of this crisis, seems to exercise no action on its ally.”—[Russian “Orange Paper,” No. 43.]

On July 29th, Sir Edward Goschen telegraphed Sir Edward Grey that he had that night seen the German Chancellor, who had “just returned from Potsdam,” where he had previously seen the Kaiser. The German Chancellor then showed clearly how the wind was blowing, in making the suggestion to Sir Edward Goschen that if England would remain neutral, Germany would agree to guarantee that she would not take any French territory. When asked about the French Colonies, no assurance was given.—[English “White Paper,” No. 85.]

Later in the day, the German Chancellor again saw the English Ambassador, and expressed regret

“that events had marched too rapidly, and that it was therefore too late to act upon your [Sir Edward Grey's] suggestion that the Servian reply might form the basis of discussion.”—[English “White Paper,” No. 75.]

On the same day the Ambassador for Germany at St. Petersburg called upon Sazonoff and expressed himself in favour of further explanations between Vienna and St. Petersburg, to which Sazonoff assented.—[Russian “Orange Paper,” No. 49.] On the same day Sir Edward Grey asked the German Government :

“*To suggest any form of procedure under which the idea of mediation between Austria and Russia, already accepted by the German Government in principle, could be applied.*”

To which the German Foreign Office replied that it could not act for fear that if they made to their ally any suggestion that looked like pressure, it might “*cause them [Austria] to precipitate matters and present a fait accompli.*”—[See letter of Sir Edward Goschen to Sir Edward Grey, July 29th.—English “White Paper,” No. 70.]

This was the last and worst of the quibbles put forth to gain time while Austria was making progress



toward Belgrade. It assumes that Austria might not only fail to respect the wish in a matter of common concern of its more powerful ally, but that it might act in disregard of Germany's wish. This strains human credulity to the breaking point. Did the German Secretary of State keep a straight face when he uttered this sardonic pleasantry? It may be the duty of a diplomat to lie on occasion, but is it ever necessary to utter such a stupid falsehood? The German Secretary of State sardonically added in the same conversation that he was not sure that the effort for peace had not hastened the declaration of war, as though the declaration of war against Servia had not been planned and expected from the first.

As a final effort to meet quibbles, the British Ambassador at Berlin then suggested that after Austria had satisfied her military prestige, the moment might then be favourable for four disinterested Powers to discuss the situation and come forward with suggestions for preventing graver complications.

To this proposal the German Secretary of State seemingly acquiesced, but, as usual, *nothing whatever was done*.—[English "White Paper," No. 76]. It is true that on July 29th Sir Edward Grey was assured by the German Ambassador that the German Foreign Office was

"endeavouring to make Vienna explain in a

satisfactory form at St. Petersburg the scope and extension of Austrian proceedings in Servia,"

but again the communications which the German Foreign Office sent to Vienna on this point *have never yet been disclosed to the world*.—[English "White Paper," No. 84].

In this same conference Sir Edward Grey

"urged that the *German Government should suggest any method* by which the influence of the four Powers could be used together to prevent war between Austria and Russia. France agreed, Italy agreed. The whole idea of mediation or mediating influence was ready to be put into operation *by any method that Germany could suggest*, if mine were not acceptable. In fact, mediation was ready to come into operation by any method that Germany thought possible, if only Germany would 'press the button' in the interests of peace."—[English "White Paper," No. 84.]

The difficulty was, however, that Germany never "pressed the button," although obviously it would have been easy for her to do so, as the stronger and more influential member of the Double Alliance.

On the same day the Austrian Government left a memorandum with Sir Edward Grey to the effect that Count Mensdorff said that the war with Servia must proceed.

On the night of July 29th the British Ambassador at Berlin was informed that the German Foreign Office "*had not had time to send an answer yet*" to the proposal that Germany suggest the form of mediation, but that the question had been referred to the Austro-Hungarian Government with a request as to "what would satisfy them."—[English "White Paper," No. 107.]

### King George's Telegram.

On the following day the German Ambassador informed Sir Edward Grey that the German Government would endeavour to influence Austria after taking Belgrade and Servian territory in the region of the frontier, to promise not to advance further, while the Powers endeavoured to arrange that Serbia should give satisfaction sufficient to pacify Austria, but if Germany ever exercised any such pressure upon Vienna, *no evidence of it has ever been given to the world*. Certainly, it was not very effective, and for the reasons mentioned it is impossible to conclude that the advice of Germany, if in good faith, would not have been followed by its weaker ally.

From all that appears in the record, Austria made no reply to this most conciliatory suggestion of England, but, in the meantime, the irrepressible Kaiser made the crisis more acute by cabling to the Czar that the mobilisation of Russia to meet the mobilisation of Austria was affecting his position of mediator, to

which the Czar made a conciliatory reply, stating that Russia's mobilisation was only for a defence against Austria.

What more could Russia do? If Austria continued to mobilise, why not Russia?

On this day, July 30th, the German Ambassador had two interviews at St. Petersburg with Sazonoff, and it was then that Sazonoff drew up the following formula as a basis for peace:

"If Austria, recognising that her conflict with Serbia has assumed character of question of European interest, declares herself ready to eliminate from her ultimatum the points which violate principle of sovereignty of Serbia, *Russia engages to stop all military preparations.*"—[Russian "Orange Paper," No. 60.]

At this stage King George telegraphed Prince Henry of Prussia that

"the English Government was doing its utmost, suggesting to Russia and France to suspend further military preparations, if Austria will consent to be satisfied with the occupation of Belgrade and neighbouring Servian territory as a hostage for satisfactory settlement of her demands, other countries meanwhile suspending their war preparations."

The King adds a hope that the Kaiser

“will use his great influence to induce Austria to accept this proposal, thus proving that Germany and England are working together to prevent what would be an international catastrophe.”—[Second German “White Paper.”]

This last proposition, however, was never accepted or declined, for the impetuous Kaiser gave his twelve-hour ultimatum to Russia to demobilise, and this was an arrogant demand which no self-respecting Power, much less so great a one as Russia, could possibly accept.

#### **A Last Effort.**

While this demand was in progress Sir Edward Grey was making his last attempt to preserve peace by asking Germany to sound Vienna, as he would sound St. Petersburg, whether it would be possible for the four disinterested Powers to offer to Austria that they would

“undertake to see that she obtained full satisfaction of her demands on Servia, provided they did not embarrass Servian sovereignty and the integrity of Servian territory.”

Sir Edward Grey went so far as to tell the German Ambassador that if this was not satisfactory, and if Germany would make any reasonable proposals to preserve peace and Russia and France rejected it, that

"his Majesty's Government would have nothing to do with the consequences,"

which obviously meant either neutrality or actual intervention in behalf of Germany and Austria.

On the same day the British Ambassador at Berlin besought the German Foreign Office to

"put pressure on the authorities at Vienna to do something in the general interest to reassure Russia and to show themselves disposed to continue discussions on a friendly basis."

And Sir Edward Goschen reports that the German Foreign Minister replied that last night he had

"begged Austria to reply to your last proposal, and that he had received a reply to the effect that the Austrian Minister for Foreign Affairs would take the wishes of the Emperor this morning in the matter."

**Again the text of the letter in which Germany "begged" Austria to be conciliatory is not found in the record.**

The excuse of Germany that the mobilisation of Russia compelled it to mobilise does not justify the war. Mobilisation does not necessarily mean aggression, but simply preparation. If Russia had the right to mobilise because Austria mobilised, Germany equally had the right to mobilise when Russia mobilised, but it does not follow that either of the three nations

could justify a war to compel the other parties to demobilise. Mobilisation is only a preparation against eventualities. It is the right of a sovereign State and by no code of ethics a *casus belli*. The demand of Germany that Russia could not arm to defend itself, when Austria was preparing for a possible attack on Russia, has few, if any, parallels in history for bullying effrontery. It treated Russia as an inferior, almost a vassal, State.

This impetuous step of Germany to compel its great neighbour to desist from military preparations to defend itself came most inopportunately, for on August 1st the Austro-Hungarian Ambassador *for the first time* declared to the Russian Government its willingness to discuss the terms of the Austrian ultimatum to Servia, and it was then suggested that the form of the ultimatum and the questions arising thereon should be discussed in London. (Dispatch from British Ambassador at Vienna to Sir Edward Grey, dated August 1st, 1914.) Sir Edward Grey at once advised the English Ambassador in Berlin of the fact, and urged that it was still possible to maintain peace

“if only a little respite in time can be gained before any great Power begins war,” [English “White Paper,” No. 131.]

but the Kaiser, having issued the arrogant ultimatum



to Russia to demobilise in twelve hours, had gone too far for retreat, and spurred on by the arrogant Potsdam military party he "let loose the dogs of war."

### The Judgment.

These are the facts as shown by the record, and upon them, in my judgment, an impartial court would not hesitate to pass the following judgment :

1. *That Germany and Austria in a time of profound peace secretly concerted together to impose their will upon Europe and upon Serbia in a matter affecting the balance of power in Europe. Whether in so doing they intended to precipitate a European war to determine the mastery of Europe is not satisfactorily established, although their whole course of conduct suggests this as a possibility. They made war almost inevitable by (a) issuing an ultimatum that was grossly unreasonable and disproportionate to any grievance that Austria had, and (b) in giving to Serbia, and Europe, insufficient time to consider the rights and obligations of all interested nations.*

2. *That Germany had at all times the power to compel Austria to preserve a reasonable and conciliatory course, but at no time effectively exerted that influence. On the contrary, she certainly*

*abetted, and possibly instigated, Austria in its unreasonable course.*

*3. That England, France, Italy and Russia at all times sincerely worked for peace, and for this purpose not only overlooked the original misconduct of Austria but made every reasonable concession in the hope of preserving peace.*

*4. That Austria, having mobilised its army, Russia was reasonably justified in mobilising its forces. Such act of mobilisation was the right of any sovereign State, and as long as the Russian armies did not cross the border or take any aggressive action no other nation had any just right to complain, each having the same right to make similar preparations.*

*5. That Germany, in abruptly declaring war against Russia for failure to demobilise when the other Powers had offered to make any reasonable concession and peace parleys were still in progress, precipitated the war.*

### **In Conclusion.**

The writer of this article has reached these conclusions with reluctance, as he has a feeling of deep affection for the German people and equal admiration for their ideals and matchless progress. Even more, he

admires the magnificent courage with which the German nation, beset on every hand by powerful antagonists, is now defending its prestige as a nation. The whole-hearted devotion of this great nation to its flag is worthy of the best traditions of the Teutonic race. Nevertheless, this cannot alter the ethical truth, which stands apart from any considerations of nationality, nor can it affect the conclusion that the German nation has been plunged into this abyss by its scheming statesmen and its self-centred and highly neurotic Kaiser, who, in the twentieth century, sincerely believes that he is the proxy of Almighty God on earth, and therefore infallible.

In visiting its condemnation, the Supreme Court of Civilisation should therefore distinguish between the military caste, headed by the Kaiser and the Crown Prince, which precipitated this great calamity, and the German people.

The very secrecy of the plot against the peace of the world and the failure to disclose to the German people the diplomatic communications hereinbefore quoted, strongly suggest that this detestable war is not merely a crime against civilisation, *but also against the deceived and misled German people*. They have a vision and are essentially progressive and peace-loving in their national characteristics, while the ideals of their military caste are those of the dark ages.

One day the German people will know the full truth,

and then there will be a dreadful reckoning for those who have plunged a noble and peace-loving nation into this abyss of disaster.

“The mills of God grind slowly,  
But they grind exceeding small,  
With patience He stands watching,  
With exactness grinds He all.”

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